

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

**UNITED STATES OF AMERICA**

v.

**Case number: 2:21-cr-00127**

**RAYMOND DUGAN**

**DEFENDANT'S MOTION TO CONTINUE TRIAL**

Now comes the defendant, Raymond Dugan, by counsel, David Schles, and moves this Court to continue the trial in this matter, In support of this motion the defendant avers:

1. Mr. Dugan was arraigned on August 17, 2021. The trial is currently scheduled for June 15, 2022.

2. On June 1, 2022, a superseding indictment was filed in this matter. The superseding indictment while charging a violation of the same code subsection as the original indictment, appears to significantly alter the government's theory of the case, the elements of the offense and the nature of the proof required. Necessarily, the defense theory of the case must now be reexamined.

3. Counsel is currently attending the annual CJA conference in Morgantown and will be out of state next week. Counsel needs to thoroughly research the matter, review the discovery to determine how the potential evidence supports or fails to support the new charge, rethink tactical and strategic choices and crucially meet with Mr. Dugan in advance of trial to explain matters and advise as to the avenues of defense given the new charge.

3. Counsel for the United States, Assistant United States Attorney Julie White, authorized undersigned counsel to inform the Court that the government does not object to the requested continuance. Counsel has also consulted with Mr. Dugan and Mr. Dugan also does not object to a continuance with the understanding this may result in a significant delay in the trial and that all time will be excluded from speedy trial calculations. Wherefore, in light of the foregoing, the defendant respectfully requests that this Court continue the trial and associated pretrial dates. Defendant respectfully requests that the trial be continued for approximately 30 days .

Respectfully Submitted,  
Raymond Dugan  
By counsel,

s/ David Schles  
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**CERTIFICATE OF SERVICE**

I, David Schles, counsel for defendant, Raymond Dugan do hereby certify that on this 2nd day of June 2022, the foregoing DEFENDANT'S MOTION TO CONTINUE TRIAL was served upon the following by CM/EMF electronic filing:

Julie M. White  
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